England — Laws & Statutes —
K — VI. 5

Anno Nono

GEORGII II. Regis.

By an Act made in the Ninth Year of the Reign of His Majesty King GEORGE the Second, Intituled, *An Act for indemnifying Persons who have been guilty of Offences against the Laws made for securing the Revenues of the Customs and Excise, and for enforcing those Laws for the future.*

IT *is enacted* (*as in folio Act page* 526.) And whereas foreign Goods are

A fre-

frequently taken out of Ships at Sea without the Limits of any Port, with Intent to be fraudulently landed in this Kingdom, for preventing thereof, be it further Enacted by the Authority aforesaid, That in Case any foreign Goods, Wares, or Merchandizes, shall, after the Twenty ninth Day of *September*, One thousand seven hundred and thirty Six, by any Ship, Boat, or Vessel whatsoever, be taken in at Sea, or put out of any Ship or Vessel whatsoever, within the Distance of Four Leagues from any of the Coasts of this Kingdom

After 29 *Sept.* 1736. foreign Goods taken in or put out of any Vessel within four Leagues of the *English* Coasts without Payment of Customs

Kingdom (whether the ſame be within or without the Limits of any of the Ports thereof) without payment of the Cuſtoms, and other Duties due and payable for the ſame (unleſs in Caſe of apparent Neceſſity, or ſome other lawful Reaſon, of which the Maſter or other Perſon having Charge of ſuch Ship, Veſſel, or Boat, ſo taking in the ſame, ſhall give immediate Notice to, and make Proof before the Chief Officer or Officers of the Cuſtoms of the firſt Port of this Kingdom where he ſhall arrive) ſuch Goods, Wares,

(unleſs in caſe of apparent neceſſity)

to be forfeited and the Maſter, &c. to forfeit treble the Value,

and Merchandizes, ſhall be forfeited and loſt, and the Maſter or other Perſon having Charge of ſuch Ship, Veſſel, or Boat ſo taking in the ſame, and all ſuch Perſons who ſhall be aiding, aſſiſting, or otherwiſe concerned in the unſhipping or receiving of the ſaid Goods, Wares, or Merchandizes, ſhall forfeit treble the Value thereof; and the Ships, Boats, and Veſſels into which the ſaid Goods, Wares, and Merchandizes ſhall be unſhipped and taken in, ſhall alſo be forfeited and loſt, any Ship, Boat, or Veſſel, ſo to be forfeited

and the Veſſel forfeited, if not above 100 Tuns.

and

and loſt, not exceeding the Burthen of One hundred Tuns; and the Maſter, Purſer, or other Perſon taking Charge of ſuch Ship or Veſſel, out of which ſuch Goods ſhall be taken (unleſs in Caſe of ſuch apparent Neceſſity, or other lawful Reaſon, whereof Notice ſhall be Given by him, and Proof be made, as aforeſaid) ſhall alſo forfeit treble the Value of the Goods ſo unſhipped, as aforeſaid; which Forfeitures ſhall be divided and recovered in ſuch Manner as is herein after mentioned.

P. 529.

P. 329. And whereas by the preſent Practice of the Court of *Exchequer*, and elſewhere, it is become neceſſary for all Officers of the Cuſtoms and Exciſe, and other Officers of the Revenue, upon the Trial of any Information of Seizure, to give Proof of the exact Method and Manner of making the Seizure, with an Account of the Form of Words uſed on that Occaſion, notwithſtanding the Defendant in ſuch Cauſe does, on the claiming of ſuch Goods, acknowledge that a Seizure of them hath been made, whereby there

there often happens a Failure of Juſtice, and His Majeſty, and the Officer making the Seizure, and proſecuting the ſame, are frequently defeated of their Right, without entring into the Merits of the Cauſe; for remedy thereof be it further enacted by the Authority aforeſaid, That on all Trials of Seizures whatſoever in the Court of *Exchequer*, or elſewhere, the Seizure, together with the Method and Form of making it, ſhall be taken to have been made by the Perſon or Perſons who ſhall inform and ſue for the ſame,

In Trials of Seizures, Judges to proceed to the Merits of the Cauſe, without inquiring into the Fact or Form of making the Seizure.

ſame, and to be done in the manner as ſet forth in the Information, without any Evidence thereof; and all Judges and Juſtices of the Peace, before whom any ſuch Seizures ſhall be brought to Trial or Hearing, are hereby required to proceed to the Trial of the Merits of the Cauſe, without inquiring into the Fact, Form, or Manner of making the Seizure.

FINIS.

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